

House Bill 1471 (AS PASSED HOUSE AND SENATE)

By: Representatives Knight of the 126<sup>th</sup>, Maddox of the 127<sup>th</sup>, and Cole of the 125<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

To amend an Act creating the Joint Board of Elections and Registration of Lamar County, approved May 14, 2007 (Ga. L. 2007, p. 3520), so as to revise the composition of the board; to provide for the continuation in office of persons serving as members of the board on a certain date; to eliminate term limits; to revise certain provisions relating to municipal primaries and elections; to provide for a four-year term for the supervisor of elections; to provide provisions for purposes of conformity; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

An Act creating the Joint Board of Elections and Registration of Lamar County, approved May 14, 2007 (Ga. L. 2007, p. 3520), is amended by revising the last sentence of Section 1 to read as follows:

"Except as otherwise provided in this Act, the board shall have the powers, duties, and responsibilities of the judge of the probate court of Lamar County, the municipal election superintendents of the City of Barnesville and the City of Milner, and the board of registrars of Lamar County, all as provided for under Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code."

**SECTION 2.**

Said Act is further amended by revising Section 3 to read as follows:

**"SECTION 3.**

(a) The board shall be composed of five members who shall be appointed as follows:

(1) One member of the board shall be appointed by the governing authority of Lamar County. Said member shall not be an officer or member of the executive committee of

any political party at the time of such member's selection or at any time during such member's term of office as a member of the board;

(2) One member of the board shall be appointed by the governing authority of the City of Barnesville. Said member shall not be an officer or member of the executive committee of any political party at the time of such member's selection or at any time during such member's term of office as a member of the board;

(3) One member of the board shall be appointed by the governing authority of the City of Milner. Said member shall not be an officer or member of the executive committee of any political party at the time of such member's selection or at any time during such member's term of office as a member of the board; and

(4) One member of the board shall be appointed by the political party which received the highest number of votes within the county for its candidate for Governor in the general election immediately preceding the appointment of such member, and one member of the board shall be appointed by the political party which received the second highest number of votes within the county for its candidate for Governor in the general election immediately preceding the appointment of such member. Each of the respective members appointed by political parties shall be nominated by the party chairperson and ratified by the county executive committee of the respective political party at least 30 days before the beginning of the term of office or within 30 days after the creation of a vacancy in the office. In the event that a political party entitled to appoint a member of the board does not have a county executive committee, such appointment shall be made by the state executive committee of such political party.

(b) All appointments to the board shall be promptly certified by the appointing authority to the clerk of the Superior Court of Lamar County.

(c) The members of the board serving in office on June 30, 2008, and any person selected to fill a vacancy in any such office shall continue to serve until the expiration of the terms for which they were appointed and until their successors are appointed and qualified.

(d)(1) Monica Walters, the member of the board appointed to a term beginning on January 1, 2008, shall be designated as serving from and representing Lamar County as newly described under subsection (a)(1) of Section 3 of this Act and shall serve a term of office ending on December 31, 2011.

(2) Georgia Fletcher, the member of the board appointed to a term beginning on January 1, 2008, shall be designated as serving from and representing the City of Barnesville as newly described under subsection (a)(2) of Section 3 of this Act and shall serve a term of office ending on December 31, 2010.

(3) Richard Smith, the member of the board appointed to a term beginning on January 1, 2008, shall be designated as serving from and representing the City of Milner as newly

described under subsection (a)(3) of Section 3 of this Act and shall serve a term of office ending on December 31, 2010.

(4) Charles Glass and Gerald Thompson, the members of the board appointed to a term beginning on January 1, 2008, shall be designated as serving from and representing the two political parties as newly described under subsection (a)(4) of Section 3 of this Act and shall each serve a term of office ending on December 31, 2009.

(e) Successors to each member shall thereafter be appointed by the appropriate appointing authority to serve a term of office of four years and until his or her successor is duly appointed and qualified."

### SECTION 3.

Said Act is further amended by revising subsection (b) of Section 4 to read as follows:

"(b) Members of the board shall be residents of Lamar County or their respective city, as appropriate, and shall have been registered voters in Lamar County for a period of at least one year prior to the date of their appointment to the board."

### SECTION 4.

Said Act is further amended by revising Section 6 to read as follows:

### "SECTION 6.

Each member of the board shall have the right to resign at any time by giving written notice of such resignation to the governing authority of Lamar County, the City of Barnesville, or the City of Milner, as appropriate, and to the clerk of the superior court and shall be subject to removal from the board by the chief judge of the Superior Court of Lamar County at any time, for cause, after notice and hearing."

### SECTION 5.

Said Act is further amended in Section 9 by revising subsection (c) and adding a new subsection to read as follows:

"(c) At the request of the City of Barnesville or the City of Milner, as appropriate, the board shall conduct the holding of any municipal primary or election within the City of Barnesville or the City of Milner. Each city shall designate polling places and handle the qualifying of candidates for their respective municipal primaries and elections, unless the board is otherwise requested to handle such duties.

(d) The City of Barnesville and the City of Milner shall each contribute an annual lump sum amount, as determined by the board, for the board's duties with respect to each city,

1 and no other cost shall be paid to the board by the cities to conduct any municipal primary  
2 or election."

3 **SECTION 6.**

4 Said Act is further amended by revising subsection (a) of Section 11 to read as follows:

5 "(a) The Lamar County Board of Commissioners shall appoint a person to serve as the  
6 initial supervisor of elections of Lamar County to serve for a term of four years. Upon  
7 expiration of the supervisor's four-year term, the board may reappoint the initial supervisor  
8 or appoint a new supervisor for a term of four years and shall reappoint or appoint a  
9 supervisor every four years thereafter. Such position shall be full time, and such person  
10 shall be paid a salary to be set by the board. The supervisor of elections shall generally  
11 direct and control the administration of elections and voter registration in Lamar County  
12 and, except as otherwise provided for in this Act, the holding of any municipal primary or  
13 election to be conducted within the City of Barnesville and the City of Milner and shall  
14 generally supervise, direct, and control the administration of the affairs of the board  
15 pursuant to law and duly adopted resolutions of the board. The supervisor of elections  
16 shall be supervised by the board and shall be subject to removal from office by the board,  
17 with or without cause. The supervisor of elections shall not be a member of the board nor  
18 an elected official. The election supervisor shall be considered an employee of Lamar  
19 County and shall be entitled to the same benefits as other employees of Lamar County."

20 **SECTION 7.**

21 Said Act is further amended by revising Section 12 to read as follows:

22 "SECTION 12.

23 Compensation for the members of the board, election supervisor, clerical assistants, and  
24 other employees shall be fixed by the governing authority of Lamar County. Such  
25 compensation shall be paid from county funds and from the annual lump sum of municipal  
26 funds of the City of Barnesville and the City of Milner as provided for in Section 9 of this  
27 Act."

28 **SECTION 8.**

29 Said Act is further amended by revising the last sentence of Section 14 to read as follows:

30 "Upon this Act becoming fully effective, the superintendent of elections of Lamar County,  
31 the board of registrars of Lamar County, and, except as otherwise provided for in this Act,  
32 the municipal election superintendents of the City of Barnesville and the City of Milner  
33 shall be relieved of all powers and duties to which the board succeeds by the provisions of

3 **SECTION 9.**

4 All laws and parts of laws in conflict with this Act are repealed.